

DEPARTMENT OF FOOD AND AGRICULTURE

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April 4, 2006

STZ-06-003

TO: TO WHOM IT MAY CONCERN

The following regulations were filed with the Secretary of State on March 16, 2006 and will become effective on April 16, 2006.

DEPARTMENT OF FOOD AND AGRICULTURE
PROPOSED CHANGES IN THE REGULATIONS

Title 3. California Code of Regulations
Article 30. Nectarines
Article 34. Peaches
Article 38. Plums and Fresh Prunes

Amend Section 1446.4. to read:

§1446.4. Nectarines, Marking Requirements.

In addition to the basic marking requirements of Section 1359, every nonconsumer container of nectarines shall be clearly and conspicuously marked, ~~except as provided in Subsection (a),~~ with the following information:

~~(a) The name of the variety, if known, or if not known, the words "Unknown Variety," in letters not less than 3/16 inch in height.~~

~~(b)~~ (a) A numerical size description, followed by the word size, as established in Section 1446.9(c). This requirement shall apply only to volume or loose-filled nonconsumer containers.

~~(c)~~ (b) The count description if the nectarines are packed in trays or uniform layers or rows.

Amend Section 1454.10. to read:

§1454.10. Peaches, Marking Requirements.

In addition to the basic marking requirements of Section 1359, every nonconsumer container of fresh peaches shall be clearly and conspicuously marked, ~~except as provided in Subsection (a) below,~~ with the following information:

~~(a) The name of the variety, if known, or if not known, the words "Unknown Variety," in letters~~

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~~not less than 3/16 inch in height.~~

~~(b)~~ (a) A numerical size description as established in Section 1454.16(c). This requirement shall apply only to volume or loose-filled nonconsumer containers.

~~(c)~~ (b) The count description if the peaches are packed in trays or uniform layers or rows.

Amend Section 1462.10. to read:

§1462.10. Plums and Fresh Prunes, Marking Requirements.

In addition to the basic marking requirements of Section 1359, every nonconsumer container of plums or fresh prunes shall be clearly and conspicuously marked, ~~except as provided in Subsection (a),~~ with the following:

~~(a) The name of the variety of plums or fresh prunes, if known, or if not known, the words "Unknown variety," in letters not less than 3/16 inch in height.~~

~~(b)~~ (a) A numerical size designation, followed by the word "size," in accordance with the requirements of Section 1462.11. This requirement shall apply only to volume or tight-filled nonconsumer containers.

NOTE: Authority cited: Sections 407 and 42682, Food and Agricultural Code. Reference: Section 42941, Food and Agricultural Code.

Sincerely,

Rick S. Jensen, Chief
Inspection and Compliance Branch
Inspection Services

RJ/ss

cc: N. Dechoretz
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